

REMARKS

Claims 1-31 are pending in this application, and have been amended to define more clearly what Applicant regards as his invention; these changes are for the purposes of clarification only, and no change in scope of the claims is either intended or believed to be effected by the changes. Claims 1 and 17 are independent.

Applicant notes with appreciation the Examiner's comment at page 5 of the Office Action that the "cited prior art of record does not teach or suggest the instantly claimed combination of process steps nor what appears to be the intended combination of components of the system."

Claims 1-31 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite, for the reasons provided at pages 2-3 of the Office Action. Further, claims 17-31 were rejected under 35 U.S.C. § 112, second paragraph, as being incomplete, for the reasons set out at page 3 of the Office Action.

The claims have been carefully reviewed and amended as deemed necessary to ensure that they conform fully to the requirements of Section 112, second paragraph, with special attention to the points raised in the Office Action. It is believed that the rejections under Section 112, second paragraph, have been obviated, and their withdrawal is therefore respectfully requested.

At page 3 of the Office Action, the Examiner, citing 37 C.F.R. § 1.78(b), states that claims 17-31 conflict with claims 17-31 of Application No. 10/531,799. Cancellation of claims 17-31 from Application No. 10/531,799 renders this objection moot.


Claims 17-31 were provisionally rejected under 35 U.S.C. § 101 as claiming the same invention as that of claims 17-31 of copending Application No. 10/531,799. Cancellation of claims 17-31 from Application No. 10/531,799 renders this rejection moot.

Claims 1-31 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-31 of copending Application No. 10/531,799.

Applicant notes that the provisional rejection is not the only rejection remaining in this application, and that Application No. 10/531,799 has not issued. Therefore, pursuant to MPEP § 804.I.B, Applicant may defer response to this issue until such time that it becomes ripe (if ever). Accordingly, Applicant will address this issue at the appropriate time.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Respectfully Submitted



John Richards
c/o Ladas & Parry LLP
26 West 61st Street
New York, New York 10023
Reg. No. 31,053
Tel. No. (212) 708-1915